

ORIGINAL

MISC 20 - 0207

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ISMET KUKIC  
a/k/a ISMET KUKAJ

Plaintiff,

-against-

USA

Defendant(s).

KOVNER, J

MOTION To EXPUNGE

\_\_\_\_ MC \_\_\_\_ ( )

PLEASE TAKE NOTICE that upon the annexed affidavit or  
affirmation of ISMET KUKAJ, sworn to or affirmed  
January 23, 2020 and upon the complaint herein,  
plaintiff will move this Court, \_\_\_\_\_, U.S.D.J.,  
in room \_\_\_, United States Courthouse, Brooklyn, New York 11201,  
on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, at \_\_\_\_\_ or as soon  
thereafter as pro se petitioner can be heard, for an order  
granting

my motion to seal and or expunge the record in 1:01-cr-00416-ILG-19

Dated: Westchester, New York

January 23, 2020

Plaintiff Pro Se

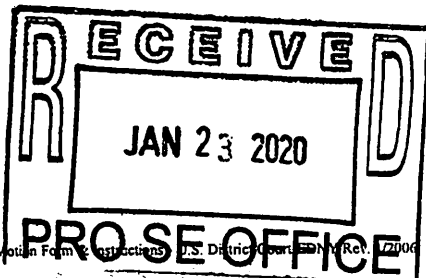
[Signature]  
Signature

Ismet Kukaj  
Print Name

23 Sunnyside Terrace  
Address

Eastchester, NY 10709  
Address

Phone # 917-567-8899  
Phone #



Motion Form & Instructions U.S. District Court - E.D.N.Y. Rev. 1/2006

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ISMET KUKIC

a/k/a/ ISMET KUKAJ

Plaintiff,

-against-

USA

Defendant(s).

AFFIDAVIT/AFFIRMATION

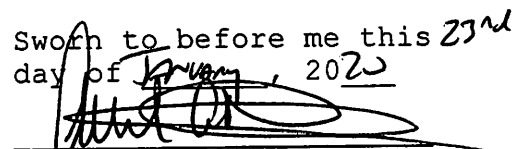
\_\_\_\_MC\_\_\_\_ ( )


STATE OF NEW YORK )  
COUNTY OF Westchester ) ss.:

I, ISMET KUKAJ, [being duly sworn] deposes and says  
[or: make the following affirmation under the penalties of  
perjury]:

I, ISMET KUKAJ, am the plaintiff in the above  
entitled action, and respectfully move this Court to issue an  
order granting my motion to seal/expunge my record 1:01-cr-00416-ILG-19.  
The reason why I am entitled to the relief I seek is the  
following: See attached page.

WHEREFORE, I respectfully request that the court grant the  
within motion, as well as such other and further relief that may  
be just and proper.

Sworn to before me this 27<sup>th</sup>  
day of January, 2020  
  
Notary Public

  
Signature  
ISMET KUKAJ  
Print Your name  
Plaintiff Pro Se

I believe I am entitled to the relief that I am seeking for the following reasons:

At no time, did I ever ask for, or accept any payment in connection with my union employment;

I decided to plead guilty because at the time I had two young daughters and a one month old son and I did not want to risk a lengthy incarceration and not be able to support my family and be a part of their lives and upbringing;

At the time of sentencing, AUSA Daniel Dorsky on the record stated I was a "schmuck who was in the wrong place at the wrong time";

After my guilty plea was entered the count I was charged with was tossed out along with that of Abe Weider by Your Honor. At sentencing, Your Honor said that your hands were tied based upon the guidelines and your sentenced me to a year and one day which afforded me the opportunity to get a 15% reduction in my overall sentence. You also advocated that I be incarcerated as close to home as possible;

Since my incarceration, I have led a productive life, have been a solid, upstanding member of the community with no subsequent criminal activity;

I have been married for over 27 years to the same wonderful woman and have 3 children with her, my eldest in medical school at Pace University, my second pursuing a Masters at Manhattan College and the third deciding on which college to attend to pursue a criminal justice degree;

My youngest is contemplating a career in Federal Law Enforcement and I would be remiss if I did not do everything in my power to insure that the mistakes of his father did not come back to haunt or otherwise harm any future application that he submits in connection with his career goals;

I have obtained my certificate of Relief from Disabilities from the NYS Department of Parole from the underlying charges;(See attached)

I have successfully applied for and obtained a TWIC card (Transportation Worker Identification Credential) from the TSA which did a full background check and threat assessment clearance which give me access to any US port or airport without escort services to restricted areas; (See attached)

I am an honorary member of the New York State Troopers PBA; (See attached ID)

I am on the Board of Directors for the Morrisania Revitalization Corporation "MRC" which is a South Bronx community based organization which operates charter schools and runs food pantries to feed the homeless of which I am personally involved.



41186 MJM

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
PROBATION OFFICE

Chris J. Stanton  
Chief  
U.S. Probation Officer

White Plains, NY  
December 5, 2006

Cheryl L. Holmes  
Sr. Deputy Chief  
U.S. Probation Officer

James T. Blackford  
Deputy Chief  
U.S. Probation Officer

Chris A. Palladino  
Deputy Chief  
U.S. Probation Officer

Ismet Kukic  
23 Sunnyside Terrace  
Eastchester, NY 10709

Re: Expiration of  
Supervised Release Term

Dear Mr. Kukic:

Please be advised that the sentence/term of supervised release imposed in U.S. District Court, Eastern District of New York on November 27, 2002, under Docket number 01 CR 416, which commenced on December 3, 2003, reached expiration and was completed as of December 2, 2006.

Please contact the undersigned officer if you have any questions.

Very truly yours,

Chris J. Stanton  
Chief U. S. Probation Officer

*Mark J. Maffucci*  
Mark J. Maffucci  
U.S. Probation Officer  
914-390-4049

NYC Office Location:

Woolworth Building  
233 Broadway, 14<sup>th</sup> Floor  
New York, NY 10279  
212.805.0040  
212.805.0047 - Fax

NYC Office Mailing Address:

Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

White Plains Office:

United States Courthouse  
300 Quarropas Street  
White Plains, NY 10601-1901  
914.390.4040  
914.390.4055 - Fax

Middletown Office:

128 Dolson Avenue  
Middletown, NY 10940-6435  
845.344.2789  
845.344.2722 - Fax



## CERTIFICATE OF RELIEF FROM DISABILITIES

Docket, File, or other Identifying No.

CR 05-106

This certificate is issued to the holder to grant relief from all or certain enumerated disabilities, forfeitures, or bars to his employment automatically imposed by law by reason of his conviction of the crime or of the offense specified herein.

This certificate shall NOT be deemed nor construed to be a pardon.

SEE REVERSE SIDE FOR EXPLANATION OF THE LAW GOVERNING THIS CERTIFICATE

The Original Certificate is to be presented to the person to whom awarded. One copy is to be retained by the issuing agency, and one copy is to be filed with the N.Y.S. Div. of Criminal Justice Services, Executive Park, Stuyvesant Plaza, Albany, N.Y. 12203

For use by DCJS	HOLDER OF CERTIFICATE			3. NYSID Number (If not known, supply fingerprints to DCJS. If fingerprints are unobtainable, complete items 15-18 below.)
	2. Last Name	First Name	Middle Initial	
	KUKIC,	Ismet	(aka: KUKAJ, Ismet)	5415886N
4. Crime or offense for which convicted			5. Date of arrest	6. Date of sentence
Conspiracy to Defraud the United States			4/25/01	11/27/02
7. Court of disposition (Court, Part, Term, Venue)			8. Certificate issued by:	
United States District Court Eastern District of New York			<input type="checkbox"/> COURT INDICATED IN NO. 7 <input checked="" type="checkbox"/> STATE BOARD OF PAROLE	
9. Date this certificate issued			10. If this Certificate replaces Certificate of Relief From Disabilities previously issued, give date of previous Certificate.	
June 21, 2005			Date: <input checked="" type="checkbox"/> Not Applicable	

## 11. CHECK ONE BOX ONLY

This certificate shall:

- ☐ Relieve the holder of all forfeitures, and of all disabilities and bars to employment, excluding the right to retain or to be eligible for public office, by virtue of the fact that this certificate is issued at the time of sentence. The Date of Sentence in this case must agree with the Date Certificate Issued.
- ☐ Relieve the holder of all disabilities and bars to employment, excluding the right to be eligible for public office.
- ☒ Relieve the holder of the forfeitures, disabilities or bars hereinafter enumerated removes all legal bars and disabilities to employment, license and privilege except those pertaining to firearms under Sections 265.01(4) and 400.00 of the Penal Law and except the right to be eligible for public office.

12. ☐ This certificate shall be considered permanent.

- ☒ This certificate shall be considered temporary until discharged from probation. After this date, unless revoked earlier by the issuing court or parole board, this certificate shall be considered permanent. A person who knowingly uses or attempts to use a revoked certificate in order to obtain or exercise any right or privilege that he would not be entitled to obtain or to exercise without valid certificate shall be guilty of a misdemeanor.

13. Signature of issuing official(s)	Print or type name(s)	14. Title(s)
	Marietta S. Gailor	COMMISSIONER
	L. LAZZAR	COMMISSIONER
	T. Grant	COMMISSIONER

Complete the following for DCJS, only if fingerprints are not obtainable

15. Sex	16. Color	17. Height	18. Date of Birth (Month, Day, Year)
<input type="checkbox"/> Male <input type="checkbox"/> Female			

I HEREBY CERTIFY, PURSUANT TO SECTION 2103 OF THE C.P.L.R., THAT I AM AN ATTORNEY ADMITTED TO PRACTICE BEFORE THE COURTS OF THE STATE OF NEW YORK, THAT I HAVE COMPARED THIS COPY WITH THE ORIGINAL THEREOF, AND THAT IT IS A TRUE AND COMPLETE COPY OF THAT ORIGINAL.

**POLICE BENEVOLENT ASSOCIATION  
OF THE  
NEW YORK STATE TROOPERS**



This shall certify that  
**Ismet Z. Kukaj**  
whose photograph is affixed  
hereto is a duly appointed  
**HONORARY**



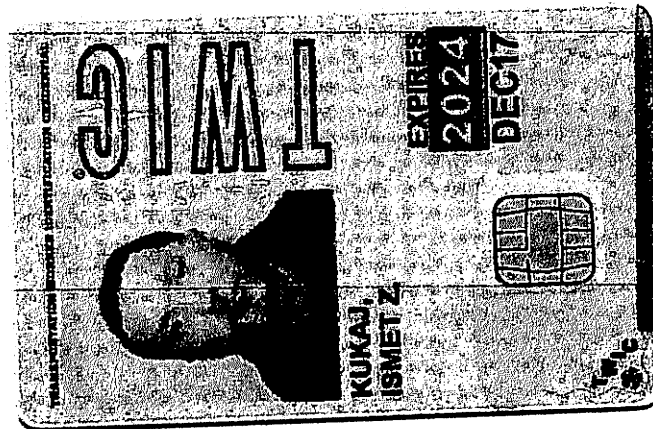
**POLICE BENEVOLENT ASSOCIATION**

Control ID: I.Z.K.

*Thomas H. Morgan*  
PBA President

Expiration Date:  
12/31/2020

*Richard M. Cincal*  
Delegate



UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X  
ISMET KUKIC  
CLK/c Ismet Kukic

Plaintiff,

-against-

Defendants.  
----- X

Affirmation of Service

\_\_\_\_\_ MC \_\_\_\_\_ ( )

I, Ismet Kukic, declare under penalty  
of perjury that I have served a copy of the attached Notice of  
Motion and Affirmation/Affidavit in support upon the United States  
Attorney for the Eastern District of New York  
whose address is: Office of the U.S. Attorney 271 Cadman Plaza  
East, Brooklyn, NY 11201.

Dated: January 23, 2020  
Westchester, New York

[Signature]  
Signature

23 Sunnyside Terrace  
Address

Eastchester NY 10709  
City, State & Zip Code

917 567-8899  
Telephone